



Rep. Patricia R. Bellock

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09700HB2942ham003

LRB097 09211 KTG 54002 a

1 AMENDMENT TO HOUSE BILL 2942

2 AMENDMENT NO. _____. Amend House Bill 2942 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Abused and Neglected Child Reporting Act is
5 amended by changing Section 7.21 as follows:

6 (325 ILCS 5/7.21)

7 Sec. 7.21. Review of unfounded reports. ~~Multidisciplinary~~
8 ~~Review Committee.~~

9 (a) Whenever the Department determines that a reported
10 incident of child abuse or neglect from a reporter is
11 "unfounded", the reporter may request an appeal of the
12 investigation within 10 days of the notification of the final
13 finding. Whenever the Department determines that any reported
14 incident of child abuse or neglect is "unfounded", the minor's
15 guardian ad litem appointed under the Juvenile Court Act of
16 1987 may request an appeal of the investigation within 10 days

1 of receipt of the investigative packet, if the subject of the
2 report is also the minor for whom the guardian ad litem has
3 been appointed. Appeals under this subsection will be conducted
4 by a neutral third party. The neutral third party shall make
5 recommendations to the Department as to the adequacy of the
6 investigation and the accuracy of the final finding
7 determination. The Department may establish multidisciplinary
8 review committees in each region of the State to assure that
9 mandated reporters have the ability to have a review conducted
10 on any situation where a child abuse or neglect report made by
11 them was "unfounded", and they have concerns about the adequacy
12 of the investigation. These committees shall draw upon the
13 expertise of the Child Death Review Teams as necessary and
14 practicable. Each committee will be composed of the following:
15 a health care professional, a Department employee, a law
16 enforcement official, a licensed social worker, and a
17 representative of the State's attorney's office. In appointing
18 members of a committee, primary consideration shall be given to
19 a prospective member's prior experience in dealing with cases
20 of suspected child abuse or neglect.

21 (b) (Blank). Whenever the Department determines that a
22 reported incident of child abuse or neglect from a mandated
23 reporter is "unfounded", the mandated reporter may request a
24 review of the investigation within 10 days of the notification
25 of the final finding. Whenever the Department determines that a
26 reported incident of child abuse or neglect from a mandated

1 ~~reporter or any other reporter is "unfounded", the minor's~~
2 ~~guardian ad litem appointed under the Juvenile Court Act of~~
3 ~~1987 may request a review of the investigation within 10 days~~
4 ~~of the notification of the final finding if the subject of the~~
5 ~~report is also the minor for whom the guardian ad litem has~~
6 ~~been appointed. The review of the investigation requested by~~
7 ~~the guardian ad litem may be conducted by the Regional Child~~
8 ~~Protection Manager.~~

9 ~~A review under this subsection will be conducted by the~~
10 ~~committee, except those requests for review that are made by~~
11 ~~the guardian ad litem, which shall be conducted by the Regional~~
12 ~~Child Protection Manager. The Department shall make available~~
13 ~~to the committee all information in the Department's possession~~
14 ~~concerning the case. The committee shall make recommendations~~
15 ~~to the Department as to the adequacy of the investigation and~~
16 ~~of the accuracy of the final finding determination. These~~
17 ~~findings shall be forwarded to the Regional Child Protection~~
18 ~~Manager.~~

19 (c) (Blank). ~~The Department shall provide complete records~~
20 ~~of these investigations to the committee. Records provided to~~
21 ~~the committee and recommendation reports generated by the~~
22 ~~committee shall not be public record.~~

23 (c-5) Beginning October 1, 2012 and annually thereafter ~~on~~
24 ~~or before October 1 of each year~~, the Department shall prepare
25 a report setting forth (i) the number of investigations
26 appealed ~~reviewed by each committee during the previous fiscal~~

1 ~~year and~~ (ii) the number of those investigations ~~that the~~
2 ~~committee~~ found to be inadequate, and (iii) the number of
3 recommendations to reverse final findings. The report shall
4 also include a summary ~~of the committee's comments and a~~
5 ~~summary~~ of the corrective action, if any, that was taken in
6 response to the ~~committee's~~ recommendations. The report shall
7 be a public record. The Department shall submit the report to
8 the General Assembly and shall make the report available to the
9 public upon request.

10 (d) The Department shall adopt rules to implement this
11 Section by October 1, 2011. The rules may limit the rights of a
12 reporter to appeal unfounded cases when the reporter has been
13 determined to be engaging in harassing conduct or intentionally
14 making false reports. The rules may limit access to
15 confidential information by a reporter who requests an appeal.

16 (Source: P.A. 90-239, eff. 7-28-97; 91-812, eff. 6-13-00.)

17 Section 99. Effective date. This Act takes effect January
18 1, 2012."